

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 2, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-12118 - APPLICANT: RICHMOND AMERICAN HOME -
OWNER: DIRAK, LLC**

THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 7, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Site Development Plan Review (SDR-12120), Variance (VAR-12121) and Variance (VAR-13154) applications approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct full street improvements to the southern back of curb on Centennial Parkway and half-street improvements on Thom Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Extend a public sewer line in Centennial Parkway to the west edge of this site at a size and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole

or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a rezoning from R-E (Residence Estates) to R-PD8 (Residential Planned Development - 7 Units per Acre) on 4.98 acres at the northwest corner of Centennial Parkway and Thom Boulevard.

The following related applications will be considered concurrently: a Site Development Plan Review (SDR-12120) for a 40 unit single family residential development, a request for a Variance (VAR-12121) to allow a proposed 4.98 acre subdivision where 5.0 acres is the minimum required, and a request for a Variance (VAR-13154) to allow 14,034 square feet of open space where 28,626 square feet is the minimum required.

EXECUTIVE SUMMARY

The density of development that would be permitted by the proposed R-PD8 (Residential Planned Development, eight units per acre) is out of character with adjacent development and the property would be best used for development that meets current Zoning requirements.

BACKGROUND INFORMATION

A) Related Actions

- 02/19/03 The City Council approved a General Plan Amendment (GPA-1392) from R (Rural Density) to ML (Medium Low Density). The Planning Commission and staff recommended approval on 01/23/03.
- 05/11/06 The Planning Commission voted (7-0) to recommend denial for related items VAR-12121, and SDR-12120. The Planning Commission voted to STRIKE related item VAR-13154.
- 05/11/06 The Planning Commission voted (7-0) to recommend DENIAL (PC Agenda Item #25/ar).

B) Pre-Application Meeting

- 02/15/06 Staff explained the requirements for a zone change.

C) Neighborhood Meetings:

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.98 Acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single Family Dwellings
South: Right-of-way (Centennial Parkway and CC 215)
East: Shopping Center under construction
West: Undeveloped

C) *Planned Land Use*

Subject Property: ML (Medium Low Density Residential)
North: ML (Medium Low Density Residential)
South: ROW (Right of Way)
East: SC (Service Commercial)
West: ML (Medium Low Density Residential)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-1 (Single Family Residential)
South: ROW (Right of Way)
East: under resolution of intent to C-1 (Limited Commercial)
West: R-E (Residence Estates)

E) *General Plan Compliance*

The subject site is designated for ML (Medium Low Density) land uses by the Centennial Hills Sector Map. The proposed zone change to R-PD8 would allow a maximum density of 8.49 dwelling units per acre, which is within the range permitted by the General Plan designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rancho/Charleston Study Area		
Kyle Canyon		
Rancho Corridor		
Bonanza Corridor		
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Rural Preservation Overlay District

The subject site is not within the Rural Preservation Overlay District, but is within 330 feet of a parcel that is located within the district. Title 19.06.150C states that “For any rezoning request for vacant property that is located within three hundred thirty feet of a parcel within the Overlay

District, the City Council, for good cause shown, may approve a greater density or intensity of use than that which exists within the Overlay District”.

F) Density

<i>EXISTING ZONING</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED ZONING</i>	<i>PERMITTED DENSITY</i>	<i>GENERAL PLAN</i>	<i>PERMITTED DENSITY</i>
R-E	2 du/ac or 10 lots max.	R-PD8 or 40 lots	8.49 du/ac or 42 lots	ML	8.49 du/ac or 42 lots

The proposed zone change to R-PD8 would allow a maximum density of 8.49 dwelling units per acre, which is within the range permitted by the ML (Medium Low Density) General Plan designation.

ANALYSIS

A) General Analysis and Discussion

This site is currently zoned R-E (Residence Estates). The Residence Estates zone provides for low-density residential units located on large lots and conveys a rural environment. The applicant is seeking a change to an R-PD8 (Residential Planned Development, 8 units per acre) zone. The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns.

The change is significant, as the size of the lots that border the subject site to the north range from 13,114 to 20,316 square feet, which is 4 to 6 times the size of the lots in the proposed R-PD8 (Residential Planned Development, 8 units per acre) zoning

Additionally, the setback requirements (10 feet front, 3 feet rear, 3 feet corner side, and 3 foot to the side) in the proposed zoning are also substantially less than what is required (20 feet front, 15 feet rear, 15 feet corner side, and five feet to the side) in the R-1 (Single Family Residential) district. This means that if approved the development would be more compact and would not maintain the rural feel of the existing development immediately to the north.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The subject proposal complies with the density requirements of the ML (Medium Low Density Residential) land use designation. However, Program B1.4 of the Centennial Hills Sector Plan is intended to “Encourage the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development. The densities proposed for the subject site are not similar to existing development and therefore do not comply with the intent of the Centennial Hills Sector Plan.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The proposed project calls for the development of a 40-dwelling with a proposed density of 8.03 units per acre in an area best suited for lower density residential use. The proposed project is out of character with adjacent development and the property would be best used for development that more closely matches the density of existing development. Therefore, denial of this request is recommended.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

While the growth that the city of Las Vegas faces indicates the need for this type of development staff finds that the location of such a development would be better suited for an area currently zoned for medium to high density residential use.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The site will receive adequate access from Centennial Parkway, a 50 foot wide local street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

NOTICES MAILED 141 by Planning Department

APPROVALS 0

PROTESTS 15